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PTO/SB/65 (03-09)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Filing Date: 09/05/2011 DALLEN 00000011 6597281

1988 RR 0D

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6597281Application Number: 09/675,177Issue Date: July 22 2003Filing Date: Sept. 29 2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

is a reissue of original Patent No. 6,597,281 original issue date July 22 2003,
original application number 09675177
original filing date Sept. 29 2000

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application
filed on _____.

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

7/27/11
Date

Gerald L. Thomas
Signature

GERALD L. THOMAS

Typed or printed name of person signing Certificate

Refund Ref: 09/22/2011 CKHLOK 0000174602

Adjustment date: 09/22/2011 CKHLOK
08/05/2011 DALLEN 00000011 6597281
01 FC-1500

1988 RR 0D

[Page 1 of 4]

CHECK Refund Total: \$40.00

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

09/22/2011 CKHLOK 00000005 6597281

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01 FC:2552
02 FC:1557

1240.00 OP
700.00 OP

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1. SMALL ENTITY

- Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27
- Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)
3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/>	\$ _____	3 ½ yr fee	<input type="checkbox"/>	\$ _____	3 ½ yr fee
<input type="checkbox"/>	\$ _____	7 ½ yr fee	<input checked="" type="checkbox"/>	\$ <u>12.80</u>	7 ½ yr fee
<input type="checkbox"/>	\$ _____	11 ½ yr fee	<input type="checkbox"/>	\$ _____	11 ½ yr fee

MAINTENANCE FEE BEING SUBMITTED \$ 19.80.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 65.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 65.00

5. MANNER OF PAYMENT

- Enclosed is a check for the sum of \$ 19.80.00
- Please charge Deposit Account No. _____ the sum of \$ _____
- Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

- The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. _____

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7. OVERPAYMENT

As to any overpayment made, please

 Credit to Deposit Account No. _____

OR

 Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

Mervin L. Thomas

Signature(s) of Petitioner(s)

7/27/11

Date

GERALD L. THOMAS

Typed or printed name(s)

Registration Number, if applicable

1936 N. SAWYER AVE.

Address

312 804-1384

Telephone Number

Chicago, IL. 60647

Address

ENCLOSURES:

- Maintenance Fee Payment
- Statement why maintenance fee was not paid timely
- Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)
- Other: _____

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37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

Gerald L. Thomas

Signature

7/27/11

Date

GERALD L. THOMAS

Type or printed name

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

I had my years wrong, I thought I had until 1/22/12; I was checking my patent just days after it had expired: 7/22/11 and realized it was this year. I'm hoping to continue to market my idea! (Patent) # 6,597,281 Thank you

p.s. I'm also on a fixed Gerald L. Thomas income, and had to borrow these funds.

(Please attach additional sheets if additional space is needed)

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: <u>09/21/11</u>		2 Serial/Patent # <u>6597281</u>	
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED
<input type="checkbox"/>	Filing		\$
<input type="checkbox"/>	Amendment		\$
<input type="checkbox"/>	Extension of Time		\$
<input type="checkbox"/>	Notice of Appeal/Appeal		\$
<input type="checkbox"/>	Petition		\$
<input type="checkbox"/>	Issue		\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.		\$
<input type="checkbox"/>	Maintenance		\$
<input type="checkbox"/>	Assignment		\$
<input checked="" type="checkbox"/>	Other	<u>08/01/11</u>	\$ <u>40.00</u>
		7 TOTAL AMOUNT OF REFUND	\$ <u>40.00</u>
8 TO BE REFUNDED BY:			
<input checked="" type="checkbox"/>	Treasury Check		
<input type="checkbox"/>	Credit Deposit A/C #:	<u>9</u> <input type="text"/>	
10 REASON:			
<input checked="" type="checkbox"/>	Overpayment		
<input type="checkbox"/>	Duplicate Payment		
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME: <u>Christina Tartera Donnell</u>		TITLE: <u>Petitions Attorney</u>	
SIGNATURE: <u>/christina tartera donnell/</u>		PHONE: <u>571-272-3211</u>	
OFFICE: <u>Office of Petitions - 4700</u>			
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****			
APPROVED: <u>CLerk</u>		DATE: <u>9/22/11</u>	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B